

CRL.O.P.No.13897 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 468,471, 420 IPC r/w.12(1)(b) of Indian Passport Act in Crime No. 152 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The petitioner is alleged to have furnished bogus birth certificate for obtaining passport and thereafter he was caught red handed by the passport officials. The complaint was lodged by passport officer.

4. It is the case of the petitioner that he is innocent and he has been falsely implicated in this case.

5. Learned Government Advocate (Crl. Side) submitted that the petitioner has attempted to obtain passport by furnishing fake birth certificate.

6. Considering the facts and circumstances of the case and also taking note of the nature of the offence, this Court is of the view that custodial interrogation of the petitioner is not necessary. **Therefore, this Court is inclined to grant anticipatory bail to the petitioner.**

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7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate I, Ulundurpet, Villupuram District **subject to the following conditions:**

(i) the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the Magistrate concerned;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial.

[v] on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

05.07.2016

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